

SUSTAINED

SUMMARY REPORT -  
SUBJECT: COMPLAINT REGISTER INVESTIGATION NO.:  
CHICAGO POLICE DEPARTMENT

221554

DATE OF REPORT (DAY-MO.-YEAR)  
26 January 1996  
03 February 1996T

INSTRUCTIONS: SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.  
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS  
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME James Lukas	RANK Inv	STAR NO. 103	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 113
REFERENCE NOS. (LIST ALL RELATED C.R., C.B., I.R., INVENTORY NOS. ETC., PERTINENT TO THIS INVESTIGATION) [REDACTED]					

ADDRESS OF INCIDENT Inside Fat Tuesday's Restaurant and Lounge, 435 E. Illinois; also on promenade outside	DATE OF INCIDENT - TIME 07 Oct 95 0100-0137	BEAT OF INCIDENT 1834	LOCATION CODE* 02,15
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NAME	RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.
1. Stephen B. Fuller	PO	10015	[REDACTED]	[REDACTED]	018
2. Rapunzel A. Williams	PO	17859	[REDACTED]	[REDACTED]	021
3. Eric A. Davis	PO	17839	[REDACTED]	[REDACTED]	157 (detail)

SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE*
1. M/B	[REDACTED] 57	22 Dec 86	<input type="checkbox"/> ON DUTY <input checked="" type="checkbox"/> OFF DUTY	<input type="checkbox"/> CIVILIAN	01
2. F/B	[REDACTED] 59	17 Nov 86	<input type="checkbox"/> ON DUTY <input checked="" type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01
3. M/B	[REDACTED] 60	06 May 85	<input type="checkbox"/> ON DUTY <input checked="" type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01

IF APPLICABLE - DATE INDICTED/INDICTED	CHARGES	COURT BRANCH	DISPOSITION & DATE
1.			
2.			
3.			

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
[REDACTED]	Bureau of Operational Services	[REDACTED]	[REDACTED]	[REDACTED]	M/B	[REDACTED] 69	01
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M/B	[REDACTED] 70	05

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
[REDACTED]	Fat Tuesday's 435 E. Illinois	[REDACTED]	Chgo IL	[REDACTED]	F/W	[REDACTED] 60	01

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
[REDACTED]	Fat Tuesday's 435 E. Illinois	[REDACTED]	Chgo IL	[REDACTED]	F/W	[REDACTED] 60	01

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

\* SEE REVERSE SIDE FOR CODES, INSTRUCTIONS FOR STATING ALLEGATIONS, AND COMPLETING THE REMAINDER OF THE SUMMARY REPORT  
\*\* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS The complaint was registered on 07 October 1995, at approximately 0448 hours, with O.P.S. by Acting ADS William Batts Jr., Star #302, who alleged that, on the same date, at approximately 0137 hours, Officer Fuller 1) had worked secondary employment, off duty, at a liquor establishment called Fat Tuesday's, 435 E. Illinois, in the North Pier Terminal complex. In addition, complainants [REDACTED] and [REDACTED] alleged that, on the same date and time, in the vicinity of Fat Tuesday's, Officer Fuller 2) unjustifiably pushed both of them and [REDACTED] fell to the ground. Also, complainant [REDACTED] alleged that on the same date and time and inside Fat Tuesday's, Officer Fuller 3) bit [REDACTED] thumb during an altercation in the pool table area. Further, complainant [REDACTED] alleged that during his arrest on the same date and time, on the promenade of North Pier Terminal,

ADDITIONAL COMPLAINANTS:

[REDACTED] 32 G, Oak Park, IL, [REDACTED]  
[REDACTED] F/B, DOB: [REDACTED] 59, Code 01 ALSO A WITNESS

[REDACTED]  
[REDACTED] F/B, DOB: [REDACTED] 69, Code 01 ALSO A WITNESS

[REDACTED] work telephone [REDACTED] home  
[REDACTED] telephone [REDACTED] F/B, DOB: [REDACTED] 71, Code 01 ALSO A  
WITNESS

[REDACTED] F/B, DOB: [REDACTED] 72,  
Code 01 ALSO A WITNESS

Inv. James Lukas, Star #103, Unit 113

ADDITIONAL WITNESSES:

[REDACTED] M/W, DOB: [REDACTED]  
[REDACTED] 71, Code 01

[REDACTED] M/B,  
DOB: [REDACTED] 70, Code 01

[REDACTED] M/B, DOB:  
[REDACTED] 57, Code 01

[REDACTED]  
[REDACTED] F/B, DOB: [REDACTED] 72, Code 01

[REDACTED] work address, Fat Tuesday's, 435 E. Illinois,  
Chgo, IL, [REDACTED] M/W, DOB: [REDACTED] 64, Code 01

[REDACTED] M/B, DOB:  
[REDACTED] 64, Code 01

[REDACTED] M/B, DOB: [REDACTED]  
75, Code 01

[REDACTED] home telephone [REDACTED]  
[REDACTED] M/Asian, DOB: [REDACTED] 60, Code 01

ALLEGATIONS (Continued)

Officer Fuller 4) grabbed him, slammed him to the ground, pushed  
his face to the pavement and placed a knee on his back. In

the complainant [REDACTED] alleged that during the arrest of [REDACTED] Officer Fuller 5) unjustifiably drew his weapon and fired it at [REDACTED] wounding him. Further the complainant [REDACTED] alleged that following the shooting of [REDACTED] while still on the promenade, Officer Fuller 6) unjustifiably pointed his gun at her when she reached into her purse to get a cellular telephone with which to call the police. In addition, Acting ADS Batts alleged that on the same date, at approximately 0137 hours, Officer Williams 1) had worked secondary employment, off duty, at a liquor establishment (Fat Tuesday's). Also, Acting ADS Batts alleged that on the same date, while at Area 3 Detective Headquarters, Officer Williams 2) was in possession of a .38 cal. revolver, Serial Number [REDACTED] not registered to her, but to Officer Davis. Inv. Lukas alleged that, on 06 and 07 October 1995, Officer Davis 1) failed to follow procedures regarding the control or transfer of the .38 cal. revolver as regulated by General Order 92-3.

EVIDENCE/ATTACHMENTS:

1. Complaint Face Sheets
- 1A. Re-assignment of CR 221554 from Internal Affairs Division to O.P.S.
2. To/From Report, William Batts Jr., Acting Assistant Deputy Superintendent, Shots Fired by the Police/With Hits
3. To/From Report, Sgt. Cynthia White, Star #1515, IAD, Interview with [REDACTED]
4. To/From Report, Sgt. White, Interview with Commander/Acting ADS Batts
5. To/From Report, Sgt. White, Interview with Witness, [REDACTED]
6. To/From Report, Sgt. White, Interview with [REDACTED]
7. To/From Report, Inv. Lukas, Gun Desk Information regarding Officer Rapunzel Williams' pistol (belonging to Officer Eric Davis)
8. Copy of Complaint Face Sheet, U#95-35
9. To/From Report, Inv. Alice Chico, Star #43, O.P.S., Preliminary Investigation/Police Shooting
10. To/From Report, Inv. Chico, Additional Information regarding shirts worn by Officers Williams and Fuller
11. Shooting Investigation Report, U#95-35
12. Sketch of Scene
13. To/From Report, Lt. Patrick D. Logan, Star #500, 018th District Watch Commander, First Watch, Weapons Discharge Incident, Shots Fired by the Police/With Hits
14. Weapon Discharge Report, P.O. Stephen Fuller
15. Aggravated Battery Case Report, [REDACTED]
16. Supplementary Report, [REDACTED]
17. To/From Report, Officer Rapunzel Williams, Star #17859, Aggravated Battery [REDACTED]

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18. To/From Report, Officer Stephen B. Fuller, Star #10015, Aggravated Battery [REDACTED]
19. Receipt from Officer Fuller for purchase of .357 Magnum S&W revolver, Serial Number [REDACTED] Also, Officer Fuller's Firearm Owner's Identification Card
20. Officer Williams' Driver's License and Police Identification Card
21. Gun Registration Record for Officer Fuller's .357 Magnum, # [REDACTED]
22. Gun Registration Record for Officer Davis' .38 cal. pistol, Serial Number [REDACTED]
23. Preliminary Information/Weapons Discharge Worksheet
24. Detective Division/Command Information Worksheet, [REDACTED]
25. Crime Scene Processing Report
26. Request to Hold Recording Tape
27. Property Inventory #1551344, Blood Standard
28. Statement of Witness, [REDACTED]
- 28A. Handwritten Statement of Witness, [REDACTED]
29. Request to Obtain Copy of Property Inventory Slip #1551345
30. Request for Evidence Identification Photographs
31. Certified Mail Letter to Victim/Offender [REDACTED]
32. Letter to Victim/Offender [REDACTED]
33. Statement of Witness [REDACTED]
- 33A. Handwritten Statement of Witness, [REDACTED]
34. To/From Report, Inv. Lukas, Canvass
35. Cover Sheet for Fax from Inv. Lukas to Obtain Copy of Inventory Slip #1551345
36. To/From Request, Inv. Lukas, to Obtain Copy of Inventory Slip #1551345
37. Crime Scene Processing Report Re: Photographs and Fingerprints of Victim/Offender Bryon Odum
38. Letter Faxed to Fire Department Ambulance Records Office for Ambulance #11 on Date of Incident
39. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
40. Certified Mail Receipt from Victim/Offender [REDACTED]
41. Ambulance #11 Report on Care and Transport of Victim/Offender [REDACTED]
42. Firearms Receipt and Worksheet, Officer Fuller's weapon, .357-Magnum, [REDACTED]
43. Firearms Receipt and Worksheet, Officer Davis' weapon (possessed by Officer Williams), .38-cal. revolver [REDACTED]
44. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
45. To/From Report, Inv. Lukas, Interview of Complainant/Witness [REDACTED]
46. Arrest Report, Complainant/Offender [REDACTED]
47. Bail Bond Receipt of Complainant/Offender [REDACTED]
48. Criminal History [REDACTED]

49. Arrest Report, Victim/Offender [REDACTED]
50. Bail Bond Receipt of Victim/Offender [REDACTED]
51. Criminal History [REDACTED]
52. Officer's Battery Report, Officer Fuller
53. Injury On Duty Report, Officer Fuller
54. Injury On Duty Report, Officer Williams
55. Request for Analysis/Receipt for Exhibit, Officer Davis' Weapon (possessed by Officer Williams)
56. Property Inventory #1559509, Officer Davis' Weapon; Six Unspent .38-cal. Rounds
57. Request for Analysis/Receipt for Exhibit, Officer Fuller's Weapon, .357-Magnum, Serial [REDACTED]
58. Property Inventory #1559508, Officer Fuller's Weapon, .357-Magnum, Serial [REDACTED] Five Unspent .38-cal. Special Shells; one .38-cal. Spent Shell
59. City of Chicago Retail Alcoholic Liquor License, (Beer Garden) Fat Tuesday, 435 E. Illinois, [REDACTED]
60. City of Chicago Special Permit for Music and Dancing In Connection with City Retail Alcoholic Liquor License (Tavern) [REDACTED]
61. City of Chicago Liquor License (Tavern) (Fat Tuesday) [REDACTED]
62. City of Chicago License Certificate for Fat Tuesday, [REDACTED]
63. State of Illinois, Retailer's License, Alcoholic Liquors, On/Off Premise Consumption, for Fat Tuesday, [REDACTED]
64. Letter from Inv. Lukas to Possible Witness [REDACTED] Seeking Interview
65. Letter from Inv. Lukas to Complainant/Witness [REDACTED] Seeking Interview
66. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
67. Request for Faxed Copy of Property Inventory Slip #1551345
68. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
69. Property Inventory #1551345, Black Ball Point Pen
70. Request for Faxed Copy of Property Inventory Slip #1559512
71. Letter from Inv. Lukas to Complainant/Offender [REDACTED] Seeking Interview
72. Letter from Inv. Lukas to Complainant/Witness [REDACTED] Seeking Interview
73. Property Inventory #1559512, Security Camera Videotape
74. Letter from Inv. Lukas to Complainant/Witness [REDACTED] Seeking Interview
75. To/From Report, Inv. Lukas, Attempt to Interview Victim/Offender [REDACTED]
76. Certified Mail Sent to Complainant/Witness [REDACTED] at Chicago Address
77. To/From Report, Inv. Lukas, Interview of Complainant/Witness [REDACTED]
78. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]

- [REDACTED]
79. Radio dispatch Card
  80. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
  81. To/From Report, Inv. Lukas, Interview of Complainant/Witness [REDACTED]
  82. To/From Report, Inv. Lukas, Additional Attempts to Interview Victim/Offender [REDACTED]
  83. Request to Review Recording Tape
  84. To/From Report, Inv. Lukas, Review of C.O.S. Tape
  85. Cassette Tape of C.O.S. Tape
  86. To/From Report, Inv. Lukas, Attempts to Interview Complainant/Offender [REDACTED]
  87. Statement of Complainant/Witness [REDACTED]
  - 87A. Handwritten Statement of Complainant/Witness [REDACTED]
  88. Returned Certified Mail Receipt from Possible Witness [REDACTED]
  89. Returned Certified Mail Receipt from Complainant/Witness [REDACTED]
  90. Returned Certified Mail Receipt from Complainant/Witness [REDACTED]
  91. Letter from Inv. Lukas to Complainant/Witness [REDACTED]  
Re: Mailing Her Copy of Her Statement
  92. To/From Report, Inv. Lukas, Interview of Witness [REDACTED]
  - 93-104. Evidence Photographs of North Pier Terminal and Scene of Shooting
  - 105-106. Evidence Photographs of Scene Depicting Blood on Sidewalk
  - 107-121. Evidence Photographs of Exterior and Interior of Fat Tuesday's, 435 E. Illinois
  122. Evidence Photograph of Interior of Fat Tuesday's, Pool Room Area
  - 123-129. Evidence Photographs of Officer Rapunzel Williams, Star #17859
  - 130-138. Evidence Photographs of Officer Stephen Fuller, Star #10015
  139. Evidence Photograph of Officer Fuller's S&W Revolver
  - 140-141. Evidence Photographs of Victim/Offender [REDACTED]
  142. Returned Certified Letter Addressed to Complainant/Offender [REDACTED]
  143. letter from Inv. Lukas to Possible Witness [REDACTED]
  144. Certified Mail Receipt from Possible Witness [REDACTED]
  145. To/From Report, Commander William Batts Jr., District 006, Correction to Rule Violation Number
  146. To/From Report, Inv. Lukas, Interview of [REDACTED]
  147. Certified Letter Sent to Complainant/Witness [REDACTED]
  148. Request for Statement, Officer Stephen Fuller, Star #10015, Unit 018
  149. Request for Statement, Officer Rapunzel Williams, Star #17859, Unit 021
  150. Supplementary Report, [REDACTED]

151. Request for Statement, Officer Stephen Fuller, Star #10015, Unit 018
152. Request for Statement, Officer Rapunzel Williams, Star #17859, Unit 021
153. Request for Evidence Identification Photographs
154. Copy of [REDACTED] Facesheet
155. Investigator's Case Log, U#95-35
156. Notification of Allegations, Officer Rapunzel Williams, Star #17859
157. Statutory Rights, Officer Rapunzel Williams, Star #17859
158. Request to Secure Legal Counsel, Officer Rapunzel Williams, Star #17859
159. Notification of Allegations, Officer Stephen Fuller, Star #10015
160. Statutory Rights, Officer Stephen Fuller, Star #10015
161. Request to Secure Legal Counsel, Officer Stephen Fuller, Star #10015
162. Notification of Allegations, Officer Rapunzel Williams, Star #17859
163. Statutory Rights, Officer Rapunzel Williams, Star #17859
164. Statement of Officer Rapunzel Williams, Star #17859
165. To/From Report, Inv. Lukas, Work Schedule for Officer Eric Davis, Star #17839
166. Notification of Allegations, Officer Stephen Fuller, Star #10015
167. Statutory Rights, Officer Stephen Fuller, Star #10015
168. Statement of Officer Stephen Fuller, Star #10015
169. To/From Report, Inv. Lukas, Scheduling Officer Davis, Star #17839, for statement
170. Notification of Allegations, Officer Eric Davis, Star #17839
171. Statutory Rights, Officer Eric Davis, Star #17839
172. Waiver of Counsel, Officer Eric Davis, Star #17839
173. Statement of Officer Eric Davis, Star #17839
174. Investigator's Case Log

INVESTIGATION:

Commander William Batts Jr., who was Acting Assistant Deputy Superintendent at the time of the incident, reported that on 07 October 1995, at approximately 0215 hours, he was notified that an off duty Chicago police officer Stephen Fuller, Star #10015 of the 018th District had been involved in a shooting at 451 E. Illinois St., near the Fat Tuesday's Restaurant and lounge at North Pier Terminal (Fat Tuesday's address is 435 E. Illinois). When Acting ADS Batts arrived there, he was met by Lt. Patrick Logan, Star #500, who was Watch Commander of the First Watch in the 018th District. Lt. Logan told Acting ADS Batts that Officer Fuller had tried to arrest a battery suspect, [REDACTED] 26 YOA, at Fat Tuesday's, and a "scuffle" occurred outside the establishment during the attempted arrest. A crowd gathered, and a man

identified as [REDACTED] 25 YOA, tried to interfere with Officer Fuller's attempt to make the arrest. Officer Fuller, fearing for his safety, drew his revolver and asked [REDACTED] to refrain from interfering in the arrest. [REDACTED] then punched Officer Fuller on his face, causing Officer Fuller's weapon to discharge, the bullet striking [REDACTED] in the neck. [REDACTED] was taken to Northwestern Memorial Hospital by Fire Department Ambulance #11. [REDACTED] survived his wound and eventually was released from the hospital.) P.O. Rapunzel Williams, Star #17859, of the 021st District, who was also off duty, had attempted to assist Officer Fuller in controlling [REDACTED]. She was struck on the face by one of the people in the crowd and suffered an abrasion to her forehead. During the follow-up investigation at Area 3 Detective Headquarters, a pistol in Officer Williams' possession was checked for registration and was found to be registered to [REDACTED] a Chicago police officer, Star #17839, Unit 765 (Detailed to Unit 157). Acting ADS Batts concluded that Officer Fuller acted in a professional manner, and the discharge of his weapon was accidental. [REDACTED] was obtained after it was learned that both Officers Fuller and Williams were working off duty as security personnel at Fat Tuesday's in violation of Rule #18. In addition, Acting ADS Batts stated that Officer Williams was believed to have violated Department Order 92-3, Addendum 5, regarding the transfer of weapons between sworn members. (Att. #2)

The report from Lt. Logan, the Watch Commander, contained more details and indicated that Officer Fuller told Lt. Logan that he had been working security at Fat Tuesday's when a doorman there, [REDACTED] approached him and told him that he had been kicked on the mouth by [REDACTED] who was in the rear area of the establishment. Officer Fuller found [REDACTED] just outside the rear door of the lounge and told him he was under arrest and to wait for a police vehicle to transport him. [REDACTED] broke away and fled west on the promenade that runs alongside the Ogden Slip body of water on the south side of North Pier Terminal. Officer Fuller ran after [REDACTED] and caught him about 140 feet west of the rear door of Fat Tuesday's. Officer Fuller and [REDACTED] struggled while the officer tried to handcuff him, and both men fell to the ground. While the struggle continued, a group of eight to 10 people gathered around and began to approach Officer Fuller. [REDACTED] came out of the crowd and began to push and shove Officer Fuller, attempting to free [REDACTED]. Officer Fuller told [REDACTED] and the crowd he was a police officer and to stay away. Officer Fuller tried to push [REDACTED] away and still hold onto [REDACTED]. Officer Fuller then told [REDACTED] "Please don't do this. I'm going to have to draw my weapon." Officer Fuller drew his weapon with his right hand, and [REDACTED] and [REDACTED] continued their struggle with him. [REDACTED] then punched Officer Fuller on the face while [REDACTED] simultaneously swung his right arm back, striking Officer Fuller's right hand. The gun in his right hand



accidentally discharged once, the bullet striking [REDACTED]. Officer Fuller finished handcuffing [REDACTED] as more security officers from North Pier arrived. [REDACTED] was removed by ambulance and could not be interviewed because of his critical condition. During the subsequent Round Table, [REDACTED] denied resisting arrest or swinging his arms in a way that they could have struck Officer Fuller's gun hand. Other witnesses contradicted him. Lt. Logan could not interview Officer Fuller and Officer Williams during the Round Table because an F.O.P. representative had advised both officers not to answer such questions after Acting ADS Batts had obtained [REDACTED] against them. Lt. Logan concluded that Officer Fuller's drawing of his weapon was justified because it reasonably appeared to be his last resort to prevent great bodily harm to himself or [REDACTED]. The discharge of his weapon appeared to have been accidental. (Att. #13)

Regarding the possible Rule #18 violation, Sgt. Cynthia White of the Internal Affairs Division reported that Acting ADS Batts told her that both Officers Fuller and Williams said they worked security for the "North Pier Business Association," not for Fat Tuesday's. Also, they had been called to Fat Tuesday's by its manager after an altercation inside. Sgt. White found no telephone listing or 018th District listing for the "North Pier Business Association." (Att. #4)

Sgt. White also interviewed [REDACTED] who said that the establishment closes on Friday and Saturday nights at 0200 hours and food service stops at approximately 2300 hours. Sgt. White noted that Fat Tuesday's primary business between 2300 and 0130 hours was the sale of liquor. [REDACTED] said Officers Fuller and Williams were "working security" at Fat Tuesday's at the time of the above-described incident. The officers worked as "independent contractors" and were paid in cash (\$18 per hour). At the end of the year, the establishment would give them an IRS form 10-99 to report their income. [REDACTED] paid the two officers at the end of the nights they worked. Normally, the officers would report for duty at Fat Tuesday's at about 2130 hours and remain until closing. Although she believed that the two officers were members of an association of active and possibly retired police officers, [REDACTED] said she had never hear of the "North Pier Business Association." She also believed Officer Fuller prepared the work schedule for members of the Association. (At the Roundtable following the shooting, Officers Fuller and Williams wore shirts bearing an emblem for the "Illinois Security Association.") [REDACTED] had said Officer Fuller had worked weekends at Fat Tuesday's since before summer of 1995, but Officer Williams had worked there only twice, including the night in question. On that night (06 October 1995), [REDACTED] was notified at approximately 2130 hours that Officers Fuller and Williams had arrived for work at Fat Tuesday's. Later, while she

was in her office, she was told to call the police because a fight had occurred in the pool hall area. She called the police several times, and after making the first call, went to the pool hall area and saw that Officer Fuller was involved in the altercation. [REDACTED] told Sgt. White that she had not summoned Officer Fuller to Fat Tuesday's because of the altercation. (Atts. #3,#10)

In the Area 3 Detectives' Supplementary Report, Fat Tuesday's doorman [REDACTED] referred to Officer Fuller as a person working security "for the mall." In the same report, [REDACTED] who was employed by Levy Security as director of security for North Pier, also referred to Officer Fuller as a security officer "for the mall." However, [REDACTED] told the R/I that Levy Security Consultants has responsibility for the common areas of North Pier, while the individual restaurants and bars are responsible for security inside their establishments. He had seen Officer Fuller on the night in question standing inside Fat Tuesday's and acting as a security guard. He had not seen Officer Williams there. (Atts. #92,#150)

Another Levy Security officer, [REDACTED] told the R/I that he knew Officer Fuller as a security guard who worked some weekend nights, starting about 2200 hours, inside Fat Tuesday's, checking identifications. He had not seen Officer Williams working security at Fat Tuesday's before the night of the shooting. (Att. #78)

[REDACTED] Levy Security Consultants, told the R/I that his company provided security for only the common areas of North Pier and that neither Officer Fuller nor Officer Williams were Levy employees. He also was not familiar with the "North Pier Business Association" or the "Association." (Att. #146)

Complainant/witness [REDACTED] told IAD Sgt. White that she believed Officer Fuller worked at Fat Tuesday's, where she was a regular Friday night patron. She said Officer Fuller often worked the door of the establishment, checking identifications of customers, including hers. He also had ejected patrons of Fat Tuesday's. [REDACTED] also said she had seen Officer Williams check identifications at the door of Fat Tuesday's several times, apparently working security for the business. [REDACTED] told the R/I that she had seen both Officer Fuller and Officer Williams working as security guards at Fat Tuesday's at 2100 and 2200 hours on Fridays in the past. (Atts. #6,#87)

Complainant/witness [REDACTED] told Sgt. White that Officer Fuller was inside Fat Tuesday's working as a security guard prior to the altercation on the night in question. She had not seen Officer Williams there. (Att. #5)

Complainant [REDACTED] told the R/I that when she first saw Officer Fuller on 06-07 October 1995, he was standing inside the south doors of Fat Tuesday's and acting as a security guard. She had not seen Officer Williams there before the shooting occurred. (Att. #77)

Officer Williams stated that she worked off duty as security for North Pier Complex, not for Fat Tuesday's in particular on 06-07 October 1995. Her duties were to patrol the perimeter of the businesses at North Pier. Officer Fuller, her partner that night, had hired her for the job and paid her \$18 per hour in cash for the work at North Pier. She did not know who paid Officer Fuller. On the night of the shooting, she and Officer Fuller went to Fat Tuesday's after being told that one of the bouncers [REDACTED] had been assaulted by a patron [REDACTED]. She denied working security inside or immediately outside Fat Tuesday's at any time, and said she had worked at North Pier only a few days. She believed she would get a wages statement for her work from either Officer Fuller or whoever hired him. (Att. #164)

Officer Stephen Fuller stated that on the night in question, he worked security in the common areas of North Pier Terminal for the "435 E. Illinois Association," which he described as consisting of a group of Chicago police officers, including Officer Williams and Officer Roger O'Brien of the 018th District, who paid him for his work. He believed that vendors of North Pier paid Officer O'Brien, and that the "Association" was unincorporated and not required to be licensed or registered. His work for the Association began about May of 1995, when the Association was formed, and ended on 07 October 1995, when the shooting occurred. His work for the Association consisted of fewer than 20 hours per week, and he was paid in cash at \$20 per hour. He confirmed that he made up the work schedule for the Association members. He also confirmed that he had hired Officer Williams and paid her in cash, noting that she rarely worked with the Association. The "Illinois Security Association" and "401 Security" were apparently other names for the "Association," according to Officer Fuller. He said that, on 06 October 1995, he started his security shift at 2100 hours, but did not report to anyone, such as [REDACTED] Fat Tuesday's [REDACTED] at the beginning of the shift. He also denied ever being paid by [REDACTED] for his work at North Pier and had not gotten a 10-99 form from Fat Tuesday's. Officer Fuller denied ever working security at Fat Tuesday's although he checked identifications of Fat Tuesday's customers if summoned there because of a potential arrest situation. Regarding what he told Lt. Logan, the watch commander on the date of the shooting, Officer Fuller said he told Lt. Logan he worked security at the North Pier mall and that he responded to an incident at Fat Tuesday's involving its bouncers. Officer Fuller said that a Fat Tuesday's security employee summoned him from a common mall area to the establishment at about 0100

hours on 07 October 1995. Officer Fuller stated that Fat Tuesday's is primarily a restaurant (not a tavern), and he was not assigned to work inside the establishment. Therefore, he was not violating the General Order regarding secondary employment. (Att. #168)

IAD Sgt. White reported that Acting ADS Batts said that, although Officer Williams was not alleged to have fired her gun, the .38-cal. revolver was checked as a precaution. Sgt. White's report stated, "The weapon was found not to have been fired, but the registration checked to an [REDACTED]. According to information given to Comdr. Batts, Officer Williams alleged that [REDACTED] a law enforcement member, recently gave her the weapon and she hadn't had the time to transfer the ownership."

As to Officer Williams' possession of Officer Eric Davis' .38-cal. revolver, Serial Number [REDACTED] the Gun Desk confirmed that the gun was registered as of 12 August 1985 to Officer Davis. It was inventoried following the shooting on 07 October 1995. (Atts. #7, #22, #56)

Officer Davis stated that, on 06 October 1995, at approximately 1830 hours, he was at Officer Williams' home and asked her to hold the gun for him temporarily while he went to a gym to play basketball. He owned a Jeep, without a trunk, and did not want to leave the gun in a gym locker or in a bag left alongside the basketball court as he played. He intended to pick up the gun from Officer Williams after playing basketball. He denied that he had given or loaned Officer Williams the weapon and said he was unaware that G.O. 92-3 prohibited a sworn member from possessing a firearm registered to another person except as provided by Department directive.

Officer Williams also said that Officer Davis placed the gun in her possession at her home on the evening of 06 October 1995 because he was going to play ball. She placed the gun in her purse with the intention of giving it back to him after her security job at North Pier Terminal. It was the only time she had been in possession of the gun. When the shooting occurred, the gun was in the trunk of Officer Williams' car. She denied that Officer Davis had transferred ownership of the gun to her and stated that she did not recall making the remarks about the gun as stated in Sgt. White's IAD report.

Officer Fuller's actions prior to the shooting and the shooting itself were partly addressed in the Case Report, [REDACTED] which was prepared by P.O. A. Schloss, Star #11098, and P.O. A. Porrata, Star #7430, of the 018th District. Those officers were on Directive Patrol near North Pier when a Pier security officer, [REDACTED] told them in person that someone had been shot on the south walkway (promenade) of the Pier. The two officers

went there and found [REDACTED] lying in a pool of blood. The officers requested an ambulance and secured the scene. The narrative in the Case Report basically then followed Lt. Logan's report. (Att. #15)

The Arrest Report of [REDACTED] related that he was charged with battery and resisting arrest after allegedly kicking Fat Tuesday's [REDACTED] on the face. Officer Fuller tried to arrest [REDACTED] but he resisted and fought with the officer. The lockup screening record indicated that [REDACTED] appeared to have been under the influence of alcohol or drugs. (Att. #46)

The Arrest Report of [REDACTED] indicated that he was charged with battery and obstruction of a police officer in the performance of his duties after he struck Officer Fuller on the face while he arrested [REDACTED]. Officer Fuller's weapon discharged when [REDACTED] struck the officer, the bullet injuring [REDACTED]. (Att. #49)

Attempts to interview [REDACTED] and [REDACTED] were not successful. (Atts. #75, #82, #86)

However, [REDACTED] was interviewed at the Roundtable, and he said that the man he was charged with kicking [REDACTED] had disrespected [REDACTED] later identified as [REDACTED].

[REDACTED] had asked to use a stool that was near [REDACTED] while [REDACTED] and [REDACTED] continued to play pool in Fat Tuesday's. When [REDACTED] acted rudely toward [REDACTED] [REDACTED] approached [REDACTED] and an argument ensued. Two other women (later identified as [REDACTED] who knew [REDACTED] and [REDACTED] entered Fat Tuesday's and received drinks. [REDACTED] then told the whole group to leave. As [REDACTED] was on his way to the door that opened onto the promenade, Officer Fuller, working security, knocked two drinks out of [REDACTED] hand. Officer Fuller then pushed [REDACTED] and [REDACTED] causing [REDACTED] to fall to the floor. [REDACTED] picked up [REDACTED] and asked Officer Fuller why he had pushed her. Officer Fuller told [REDACTED] he was under arrest for battery and to stay where he was. [REDACTED] heard someone say, "He's cool, let him go," and [REDACTED] said he could go. [REDACTED] then walked out of Fat Tuesday's. Officer Fuller then grabbed him and slammed him to the ground. Officer Fuller also pushed his face to the pavement and put a knee on his back. He and Officer Fuller rocked back and forth. While [REDACTED] lay on the promenade, Officer Fuller pulled out his pistol, and, a short time later, [REDACTED] raised his right arm which had been handcuffed. [REDACTED] heard a shot fired, but did not recall at what point it was fired. [REDACTED] also did not see what, if anything, [REDACTED]

who was wounded by the shot, had been doing before the shot was fired. [REDACTED] who said he had drunk two beers while at Fat Tuesday's, related that about five people were around him and Officer Fuller when the officer slammed him to the ground. (Att. #9)

Area 3 Violent Crimes Detectives Philip Mannion, Star #20827, and Joseph Guzolek, Star #20816, also interviewed [REDACTED] who told them the incident at the doorway occurred just after 0115 hours, when the last call for drinks was announced. [REDACTED] then related basically the same account as he had at the Roundtable. He added that before the shot was fired, [REDACTED] came towards Officer Fuller, but then [REDACTED] head was forced down. He then heard a shot, but did not see the shot fired. [REDACTED] said he may have heard Officer Fuller tell [REDACTED] to back away. [REDACTED] knew [REDACTED] was close because he could "feel" him, although he did not see what [REDACTED] was doing before the shot. (Att. #150)

[REDACTED] was interviewed by IAD Sgt. White, and her account generally matches [REDACTED]. She told Sgt. White that she bought the drinks for [REDACTED] and [REDACTED] who entered Fat Tuesday's just after last call was announced. [REDACTED] and Officer Fuller then told [REDACTED] and [REDACTED] that they couldn't have the drinks because of the announcement of last call. An argument involving [REDACTED] then occurred, followed by officer Fuller pushing [REDACTED] who fell. Officer Fuller then went to the pool table area and told [REDACTED] to leave with the others. When [REDACTED] wanted his dollar back because he had paid for his current pool game, a shoving match occurred between him and Officer Fuller. Shortly thereafter, Officer Fuller went outside where [REDACTED], [REDACTED] and [REDACTED] had by this time gone. Officer Fuller told him he was under arrest for kicking [REDACTED]. [REDACTED] then re-entered Fat Tuesday's and helped [REDACTED]. A gunshot then rang out, and [REDACTED] ran out the promenade door and saw [REDACTED] lying in blood and [REDACTED] lying on the ground, handcuffed. Officer Fuller who was crying, was saying, "Oh, my goodness, oh, my goodness. This didn't have to happen." [REDACTED] said Officer Fuller never stated he was a police officer or showed police identification prior to the shooting. However, she had been told on previous occasions he was a police officer. Regarding Officer Williams, [REDACTED] said she was "just standing there" when the commotion started. After the shooting, Officer Williams began screaming for someone to call "911." When [REDACTED] reached into her purse to get a cellular phone, Officer Fuller pointed his gun at her and asked her twice to please "don't do it," apparently thinking that [REDACTED] was reaching for a gun. She then told Officer Fuller she was reaching for her phone and eventually retrieved it and called "911." [REDACTED] also told Sgt. White that she did not think Officer Fuller wanted to shoot [REDACTED] although she also believed he had not done what he should

have done as a police officer. (Att. #6)

In her statement to the R/I, [REDACTED] reiterated what she told Sgt. White, adding that, when Officer Fuller argued with [REDACTED] the officer tried to take a poolstick out of his hands. She also said she had not heard anyone verbally threaten or physically attack Officer Fuller before the shooting, which she described as "70 per cent accidental." [REDACTED] said Officer Fuller told one of her friends (later identified as [REDACTED]) that he had felt threatened inside Fat Tuesday's when the argument over the drinks had occurred. (Att. #87)

[REDACTED] told the investigating detectives that, before the shooting, she saw [REDACTED] move toward [REDACTED] and Officer Fuller after the officer had forced [REDACTED] to the ground on the promenade. (Att. #150)

Complainant/witness [REDACTED] in her interview with the R/I, basically stated the same as [REDACTED]. She also did not see the shooting, and said six or seven people stood near Officer Fuller, [REDACTED] and [REDACTED] just after the shooting. She had not heard threats made against Officer Fuller, and had not heard Officer Fuller identify himself as a police officer. (Att. #81)

Complainant/witness [REDACTED] one of the women who received drinks near closing time, was interviewed by the R/I, and her account followed those of [REDACTED] and [REDACTED]. [REDACTED] also said that, when Officer Fuller had the altercation with Bryon Odum in the pool area, Officer Fuller began choking [REDACTED] who retaliated by kicking the officer in the crotch area. [REDACTED] then left Fat Tuesday's. After Officer Fuller pulled out a pistol and told nearby people he had a gun, [REDACTED] left Fat Tuesday's and walked with [REDACTED] and [REDACTED] west along the promenade. While walking, she overheard [REDACTED] say he had been bitten by Officer Fuller during the pool room altercation and wanted to go to a hospital for treatment. [REDACTED] telephoned [REDACTED] on a cellular phone and told her the officer had bothered him again and had bitten him. [REDACTED] then [REDACTED] run west from Fat Tuesday's toward her and [REDACTED] and Officer Fuller chased him, caught him and threw him onto the walkway. Officer Fuller handcuffed one of [REDACTED] wrists as [REDACTED] struggled with the officer. [REDACTED] standing nearby, told [REDACTED] to stop struggling. Officer Fuller pulled [REDACTED] up onto his feet. As [REDACTED] continued struggling, Officer Fuller said something like, "I don't have to take this shit" and "Fuck this shit." Officer Fuller then pushed [REDACTED] drew his gun with his right hand and fired it at [REDACTED] who was standing about 10 feet from Officer Fuller, between him and [REDACTED]. [REDACTED] was about four feet from Officer Fuller. Officer Fuller "shot directly at [REDACTED] according to [REDACTED]. She further

stated that [REDACTED] did not touch Officer Fuller before he was shot. Also, she said that, while other people were on the promenade when the shooting occurred, no one was close to Officer Fuller, [REDACTED] and [REDACTED]. No one touched Officer Fuller before the shooting and no one threatened him. She also said that, although no one there other than Officer Fuller, was armed with a weapon, if anyone there had had a weapon, they would have used it on Officer Fuller, and Officer Fuller "would have been in the river." [REDACTED] said she did not hear Officer Fuller identify himself as a police officer before the shooting, but that [REDACTED] indicated to her that he knew [REDACTED] was a police officer from previous encounters with him. [REDACTED] met [REDACTED] for the first time on the night of the shooting (06-07 October 1995). (Att. #77)

Complainant/witness [REDACTED] was interviewed by IAD Sgt. White, the R/I and the investigating detectives. She told Sgt. White an account of what occurred inside and outside Fat Tuesday's that was similar to that of [REDACTED] who was a friend of hers. She added that, when Officer Fuller ordered [REDACTED] and the others to leave Fat Tuesday's, [REDACTED] asked if he could get his jacket out of the pool room. Officer Fuller refused that request and began pushing [REDACTED]. As to what occurred after Officer Fuller had [REDACTED] on the ground of the promenade and was arresting him, [REDACTED] said she saw [REDACTED] come up and push Officer Fuller on his shoulder and say, "What are you doing?" Officer Fuller then drew his weapon and shot [REDACTED] without giving him a warning. (Att. #5)

In [REDACTED] interview with the R/I, she added that Officer Fuller, while inside Fat Tuesday's, told patrons there that he could do anything he wanted to do because he was a "cop." She also said she overheard Officer Fuller say he had felt "threatened" by [REDACTED] the woman whom Officer Fuller pushed. After [REDACTED] placed his hands on Officer Fuller's shoulders as the officer subdued [REDACTED] Officer Fuller pulled out his gun with his right hand and fired a shot at [REDACTED]. The officer did not appear to be aiming when the shot went off. [REDACTED] was five feet from Officer Fuller when the shot was fired. Although [REDACTED] did not hear verbal threats made against Officer Fuller, she heard a woman (possibly [REDACTED]) tell Officer Fuller after the shooting, "You've done the wrong thing, motherfucker." (Att. #45)

[REDACTED] comments to the detectives basically repeated the above information. (Att. #150)

Witness [REDACTED] account of the incident to the R/I was essentially the same as that of [REDACTED]. However, [REDACTED] stated that [REDACTED] rather than [REDACTED] fell to the ground after being pushed by Officer Fuller. After the



altercation involving Officer Fuller and [REDACTED] inside Fat Tuesday's ended near the promenade-side doors, [REDACTED] left the establishment. [REDACTED] walked out behind her. [REDACTED] and [REDACTED] were standing on the promenade and talking when they saw Officer Fuller push [REDACTED] to the ground. [REDACTED] ran to [REDACTED] and about two seconds later, [REDACTED] who had not moved, heard a "pop." She then ran to [REDACTED] and saw that he had been shot. She did not witness the shooting. She did not recall any verbal or physical threat made against Officer Fuller. She had met [REDACTED] only that night. (Att. #66)

[REDACTED] told the detectives that she heard the shot behind her as she walked west on the promenade from Fat Tuesday's, but did not see anyone shot. (Att. #150)

As stated earlier in this report, [REDACTED] told IAD Sgt. White that she had not called Officer Fuller to the establishment because of the pool hall altercation. She told the R/I that, before the shooting, one of her employees came to her office and asked that police be called, apparently because of the pool hall altercation. [REDACTED] and another employee telephoned the police. [REDACTED] did not see the events outside that preceded the shooting or the shooting itself, but when she did go outside apparently just before the shooting, she heard people on the promenade shouting words like, "Motherfucker, you're a racist," and "I'm gonna get your ass!" (Att. #39)

Witness [REDACTED] told the R/I he did not see the shooting. He said [REDACTED] behavior inside Fat Tuesday's was "out of control" as he refused to leave after being told to by Officer Fuller. [REDACTED] punched [REDACTED] on the face and then ran into the pool room and jumped on Officer Fuller. After Officer Fuller told [REDACTED] he was under arrest, [REDACTED] began walking west along the promenade. [REDACTED] did hear people outside Fat Tuesday's shout threats apparently directed at Officer Fuller, but he did not recall their wording. (Att. #68)

[REDACTED] another Fat Tuesday's doorman, was interviewed at the Roundtable and said he had had problems with [REDACTED] during the night. After the argument that occurred over the drinks served to [REDACTED] and [REDACTED] possibly after last call, [REDACTED] kicked [REDACTED] under his chin, causing him to bite his tongue. Police were called, and then [REDACTED] ran from Officer Fuller, who had attempted to make the arrest of [REDACTED]. When [REDACTED] observed Officer Fuller attempting to handcuff [REDACTED] on the promenade pavement, he also saw about six to nine people begin to gather around the two men. [REDACTED] then saw an unidentified man (apparently [REDACTED]) "go for" Officer Fuller as the officer was on one knee and near [REDACTED]. [REDACTED] then turned to go inside the lounge to call the police

again. He heard a shot fired as the door of Fat Tuesday's closed behind him. He did not see the shooting. (Att. #9)

In [REDACTED] interview with the detectives, he added that [REDACTED] tried to instigate the crowd inside Fat Tuesday's when [REDACTED] Salcedo was trying to eject an unidentified patron from the pool room. (Att. #150)

In [REDACTED] interview with the R/I, he also said that, during the pushing that occurred over the drinks controversy, [REDACTED] had backed Officer Fuller up twice before Officer Fuller pushed back. In addition, [REDACTED] had thrown drinks on Fuller during that altercation. During the altercation between Officer Fuller and [REDACTED] in the pool room, [REDACTED] had picked up two pool balls and swung them a few times at Officer Fuller. [REDACTED] removed them from [REDACTED]. When Officer Fuller chased [REDACTED] down the promenade, some people chased Officer Fuller. Officer Rapunzel Williams, Officer Fuller's partner, ran with him in pursuit of [REDACTED]. After Officer Fuller had stopped [REDACTED], some of the people standing around them shouted obscenities and words including, "I'll kill you," "You racist," and "You pig," apparently directed at Officer Fuller. While Officer Fuller tried to complete handcuffing [REDACTED], [REDACTED] flailed his loose hand. When [REDACTED] intervened in [REDACTED] arrest, [REDACTED] first grabbed at [REDACTED] and then jumped on Officer Fuller's back. [REDACTED] stated that Officer Fuller identified himself as a police officer prior to the shooting and that Officer Williams was three or four feet from Officer Fuller, [REDACTED] and [REDACTED] when they struggled. (Att. #28)

Witness [REDACTED] observed the chase of [REDACTED] by Officer Fuller and then the shooting. At the Roundtable, [REDACTED] said he was walking on the Center Dock, apparently the promenade, when he saw a guard, apparently Officer Fuller, chasing a man, apparently [REDACTED]. Officer Fuller caught [REDACTED] who kept resisting and then fell down. Officer Fuller squatted down on [REDACTED] as he tried to push the officer away. A "couple of people" then went toward Officer Fuller, trying to free [REDACTED]. Officer Fuller said something like, "Please don't do this. Stop," and "I'm gonna draw my weapon." Officer Fuller held [REDACTED] with his left hand and held a gun in his right hand. [REDACTED] then struck Officer Fuller's right hand and a shot was fired. One of the people who had moved toward Officer Fuller, [REDACTED] then fell to the ground. (Att. #9)

In his remarks to detectives, [REDACTED] added that [REDACTED] had begun pushing Officer Fuller while attempting to free [REDACTED]. Officer Fuller told [REDACTED] to move away, but [REDACTED] continued to push Officer Fuller. (Att. #150)

In his statement, [REDACTED] said that, after Officer Fuller drew his weapon, he tried to stop [REDACTED] from pushing him with his left hand while trying to restrain [REDACTED] on the ground with the right hand. Officer Fuller brought his right hand up at one point, and as he tried to push [REDACTED] off him once more, the gun went off. The gun was almost against [REDACTED] chest when it fired, and [REDACTED] was about 20 feet from Officer Fuller at that time. He did not recall hearing any verbal threats directed at Officer Fuller before the shooting. [REDACTED] said [REDACTED] did not come in contact with the gun. He believed he saw [REDACTED] swing his arms and make contact with Officer Fuller's right side below his armpit and the back of his right arm, the arm with which he held the gun. When the shooting occurred, [REDACTED] was facing east, away from [REDACTED] and so probably could not see [REDACTED] actions. [REDACTED] did not notice Officer Williams on the scene. Following the shooting, [REDACTED] said, Officer Fuller commented that he hadn't wanted the shooting to have happened, but that he had had no choice, that "They were rushing me." (Att. #33)

[REDACTED] who was walking with [REDACTED] told detectives he did not see the shooting, but only heard a commotion behind him, then a shot, and then he looked back and saw a male black lying on the ground. (Att. #150)

[REDACTED] Levy Security Consultants at North Pier Terminal, told the R/I he did not hear the gunshot and had not heard of any kind of disturbance at Fat Tuesday's before the shooting. (Fat Tuesday's had called on his security guards in the past when a disturbance occurred.) [REDACTED] became aware of the shooting when one of his officers, [REDACTED] said over the radio that a situation needing "full attention" existed on the promenade. When [REDACTED] arrived at the scene of the shooting, [REDACTED] was handcuffed on one hand and was trying to pull away from Officer Fuller. Officer Fuller explained the situation and [REDACTED] completed handcuffing [REDACTED] People standing nearby approached [REDACTED] and told him to let go of [REDACTED] because he had not done anything. [REDACTED] had his other security personnel move those people back from the scene of the shooting. (Att. #92)

[REDACTED] told detectives essentially the same information as above. (Att. #150)

Three security officers -- [REDACTED] [REDACTED] [REDACTED] also were interviewed by detectives and the R/I. None of them witnessed the shooting or the preceding incidents. [REDACTED] and [REDACTED] heard a woman at the scene of the shooting say, "You shot him for no reason." In addition, [REDACTED] stated that he observed the shooting scene from a balcony

immediately after the shooting and saw a struggle going on between three men, one who was Officer Fuller, and another, [REDACTED]. By the time [REDACTED] got to Officer Fuller, the third man in the struggle had fled. (Atts. #44, #78, #80, #150)

The canvass did not produce any witnesses. (Att. #34)

The review of the C.O.S. tapes indicated that [REDACTED] called "911" at 0139.2 hours on 07 October 1995 and reported that Officer Fuller had chased a man, who resisted arrest and ran. He said a shot was fired and a person had been shot. At 0201.42 hours, Beat 1836 tells a dispatcher/operator that the incident was "an accidental shooting by an off duty P.O." (Att. #84)

Evidence Technician photographs show various areas of the shooting scene, including a pool of blood, and the interior of Fat Tuesday's. Other photos show Officers Fuller and Williams in their casual dress. Officer Fuller is wearing the aforementioned "Illinois Security Association" shirt. Some of the photographs depict the injury to the lower inside lip and tongue of Officer Fuller; the bruise and slight laceration to the left side of the forehead of Officer Williams; [REDACTED] while being treated for his injury; and Officer Fuller's revolver. (Atts. #93-#141)

In her To-From Report written on the day of the incident (07 October 1995), Officer Rapunzel Williams said that while she was working off duty along with Officer Fuller at 451 E. Illinois, they were told that someone had attacked an employee of Fat Tuesday's and the victim wanted to have the attacker arrested. Officer Fuller attempted to make the arrest, but [REDACTED] who, along with several others, was attempting to stop the arrest, "jumped" Officer Williams. She then heard a gunshot, turned and saw a man on the ground, along with Officer Fuller. (Att. #17)

In her statement, Officer Williams said she and Officer Fuller went to Fat Tuesday's because one of its bouncers, [REDACTED] had been assaulted by a patron [REDACTED] and [REDACTED] wanted [REDACTED] arrested. Officer Fuller escorted [REDACTED] out the door of Fat Tuesday's, but Officer Williams did not recall any pushing occurring. She said a scuffle occurred between Officer Fuller and [REDACTED] while the officers were having people leave Fat Tuesday's, but she did not recall details of the incident, including whether Officer Fuller bit [REDACTED]. After Officer Fuller arrested [REDACTED] "911" was called and everyone was to wait for the police to arrive. [REDACTED] then ran down the pier, attempting to escape. Officer Williams and Officer Fuller chased [REDACTED] along with a "huge" crowd of people. Officer Fuller caught him and [REDACTED] was on the ground. Officer Williams did not see Officer Fuller grab [REDACTED] slam him to the ground,

push his face to the pavement and place a knee in his back, as alleged. As Officer Fuller attempted to handcuff [REDACTED] the crowd closed in on Officers Fuller and Williams. Officer Williams tried to keep the crowd back. She did not recall hearing any verbal threats made by the crowd toward Officer Fuller. She kept her hands out to keep people off them, but did not recall touching anyone in the crowd, which was trying to prevent the arrest. The crowd was screaming and yelling. [REDACTED] was resisting Officer Fuller's attempt to handcuff him, and Officer Williams could not help him because of the crowd. Officer Fuller repeatedly told the crowd that he was a police officer, according to Officer Williams. At another point, one of the people in the crowd, [REDACTED] jumped over and pushed Officer Williams to the side. He then lunged for Officer Fuller and made contact, his whole body being on Officer Fuller. When they made contact, Officer Williams heard a gunshot. Officer Williams said she was a few feet from Mr. Odum when he was shot, but she did not see the shooting. She did not see [REDACTED] strike Officer Fuller while he had the gun in his hand. Following the shooting, she did not see Officer Fuller point his gun at [REDACTED] while she reached into her purse. Before the shooting, Officer Williams did not draw her gun when the crowd came around her, although she said she feared for her safety and that of Officer Fuller. When asked why she did not draw her gun, she said she did not feel the need to do so. Officer Williams said she sought medical treatment the same day for a knot on her head and for having been struck on the chest by someone in the crowd. Her Injury On Duty Report said she also suffered pain to her left shoulder. (Atts. #54, #162)

In his To-From Report written the day of the shooting, Officer Fuller stated, "During an arrest situation, the R/O was caused to draw his weapon as an unruly crowd was attempting to defeat the arrest (of [REDACTED]). The subject [REDACTED] attacked the R/O, causing the weapon to discharge." (Att. #18)

Officer Fuller's Weapon Discharge Report repeated the quotation above and noted that he was "in contact" with [REDACTED] when the shot was fired. (Att. #14)

In his statement, Officer Fuller said that on 07 October 1995, he and Officer Williams were in the common area of the North Pier Terminal when, at about 0100 hours, they were summoned by one of the inside security personnel for Fat Tuesday's because help was needed. Officer Fuller entered and saw a verbal altercation going on between [REDACTED] who is about 6 feet 4 inches tall and 270 pounds, and [REDACTED] who is about 5 feet 7 inches tall and 140 pounds. [REDACTED] wanted [REDACTED] to leave. Officer Fuller also asked him to leave, but [REDACTED] threatened [REDACTED]. Between five and 10 people were with [REDACTED]. He agreed to leave once he got his coat from behind the [REDACTED].

bar. When Officer Fuller realized [REDACTED] did not have his coat there, the officer told him to leave again, also telling him that he was a Chicago police officer. At this point, [REDACTED] was standing about two feet away and likely heard Officer Fuller announce his office. [REDACTED] then told Officer Fuller that he didn't "give a fuck" who he was, prompting Officer Fuller to ask him to leave Fat Tuesday's again. [REDACTED] instead threw a drink on Officer Fuller, who then grabbed him and pushed him through the doors opening onto the promenade. A large female black friend of [REDACTED] started screaming and cursing at Officer Fuller and approached him with her fists clenched. She tried to hit Officer Fuller with her fists, but he pushed her away. He did not recall whether she fell to the ground. Security personnel from Fat Tuesday's then told him that although the pool room was closed, a man later identified as [REDACTED] had begun a new game. Officer Fuller entered the pool room and announced that it was closed and that everyone had to leave. [REDACTED] refused to leave, and Officer Fuller then grabbed his pool stick to get it away from him. The two men struggled with the pool stick, but after Officer Fuller would not let it go, [REDACTED] tried to kick him on the groin, but succeeded only in kicking him on the right leg. A friend of [REDACTED] then tried to pull [REDACTED] away, but [REDACTED] reached up and tried to gouge Officer Fuller's eyes. [REDACTED] fingers were tearing at Officer Fuller's face and some were in the officer's mouth. Officer Fuller acknowledged that he probably bit [REDACTED] finger at that point. Officer Fuller took the pool cue away from [REDACTED] and [REDACTED] friend then pulled him outside. The officer did not recall seeing [REDACTED] with pool table balls in his hands. While Officer Fuller and [REDACTED] were in the pool room, a woman said aloud that Officer Fuller had a gun on him, making him believe that [REDACTED] knew he was armed. After other patrons had left the pool and bar area, Fat Tuesday's was officially closed. Officer Fuller then walked back toward the mall area, but [REDACTED] told him that [REDACTED] had kicked him on the face. Because [REDACTED] was standing on the promenade, Officer Fuller walked through Fat Tuesday's to go outside, telling [REDACTED] that he was under arrest for battery. Officer Fuller told [REDACTED] to call the police. After initially telling Officer Fuller he would go peacefully and without handcuffs, [REDACTED] pushed a friend into Officer Fuller and began running west from Fat Tuesday's along the promenade. Officer Fuller chased him, grabbed him and wrestled him to the ground. He did not slam him to the ground or push his face to the pavement. He placed one knee on [REDACTED] his other knee on the ground. Ten to 12 of [REDACTED] friends gathered around Officer Fuller and Officer Williams and shouted obscenities and threats as Officer Fuller tried to handcuff [REDACTED]. Officer Williams tried to stand between Officer Fuller and the man later identified as [REDACTED]. By this point, Officer Fuller had drawn his weapon with his right hand because he was in great fear of his safety and that of

Officer Williams. (Upon inquiry, he said he had felt threatened inside Fat Tuesday's, leading him to announce his office.) As [REDACTED] reached over Officer Williams toward Officer Fuller, who was still kneeling. Officer Fuller pushed [REDACTED] back with his left hand. [REDACTED] was about one foot away. Officer Fuller also told [REDACTED] that he had his gun out and to back off. [REDACTED] then struck him on his face with his fist, and, as Officer Fuller fell back, his gun accidentally discharged, the bullet hitting [REDACTED] in the neck. [REDACTED] did not cause the gun to discharge. Officer Fuller had his finger on the trigger of the gun when it discharged, and [REDACTED] did not come in contact with the gun. Officer Fuller said that he did not intentionally shoot [REDACTED]. [REDACTED] friends continued to shout at Officer Fuller, and one woman, later identified as [REDACTED] called him a "motherfucker" while reaching into her purse. He thought she was reaching for a weapon and screamed at her to not go into her purse. She did so anyway and Officer Fuller pointed his gun at her because he was still in fear for his safety. When she later said she was reaching for a telephone to call 911, he took his gun off her. Officer Fuller, who said he did not know either [REDACTED] or [REDACTED] (but said he later learned that they were members of the Gangster Disciples street gang), stated that his actions on 07 October 1995 were defensive and intended to protect himself, Officer Williams and members of the public. (Att. #168)

His Officer's Battery Report said he suffered a cut to his lower inside lip and tongue and experienced pain and strain to his right elbow. His Injury On Duty Report said he had been punched in the face while arresting an offender for battery. (Atts. #52, #53)

The Firearms Receipt and Worksheet for Officer Fuller's revolver indicated that the safeties functioned as designed in that the weapon would not fire unless the trigger was pulled. (Att. #42)

#### CONCLUSION:

It is recommended that Allegation #1 against Officer Fuller be classified as Sustained. Officer Fuller's denial of working secondary employment at Fat Tuesday's is countered by the specific information provided by that [REDACTED] regarding the \$18 hourly pay (Officer Fuller's figure was \$20 per hour); how long Officer Fuller had worked for Fat Tuesday's (since before summer of 1995, which approximates Officer Fuller's own estimate of May 1995); and her recollection that Officers Fuller and Williams arrived for work on 06 October 1995 about 2130 hours (Officer Fuller's estimate was 2100 hours for when he began his mall area shift). In addition, several witnesses reported seeing Officer Fuller working inside Fat Tuesday's in the past, checking identification cards, which he acknowledged doing during potential arrest situations.

It is recommended that Allegations #2, #3, #4 and #6 against Officer Fuller be classified as Exonerated. His actions appeared reasonable because of the hostile circumstances present at the time of each act.

It is recommended that Allegation #5 against Officer Fuller be classified as Unfounded. Most witness accounts support the finding that Officer Fuller was justified in drawing his gun. [REDACTED] complaint that Officer Fuller simply drew his gun and fired it at [REDACTED] was not based on facts as shown by the investigation.

It is recommended that Allegation #1 against Officer Williams be classified as Sustained for the same reasons listed for the Sustained classification for the identical allegation against Officer Fuller. Officer Williams cited the same hourly pay (\$18) that Fat Tuesday's [REDACTED] recalled. Also, [REDACTED] said that Officer Williams had worked at Fat Tuesday's only twice, which conforms to Officer Williams' statement that she had worked at North Pier only a few days. One witness said she had seen Officer Williams check identifications at Fat Tuesday's.

It is also recommended that Allegation #2 against Officer Williams be classified as Sustained. Officer Williams admitted to being in possession of Officer Davis' gun, which was not registered to her, a violation of General Order 92-3.

It is recommended that Allegation #1 against Officer Davis be classified as Sustained. He admitted leaving his gun with Officer Williams, also a violation of General Order 92-3.

FINDINGS:

Accused: Officer Fuller

Allegation #1      SUSTAINED - Violation of Rule 18, "Engaging directly or indirectly in the operation of a taxicab, tavern, or retail liquor establishment," in that on 07 October 1995, at 0137 hours, Police Officer Stephen Fuller, Star #10015, while off duty, performed duties regarding security at a liquor establishment, Fat Tuesday's, 435 E. Illinois, thereby failing to follow provisions of General Order 89-8 Part IV, Paragraph H, regarding secondary employment in an establishment where the primary business is the sale of intoxicating liquor.



Allegations #2,            EXONERATED  
#3, #4, and #6

Allegation #5            UNFOUNDED

Accused:                Officer Williams

Allegation #1.            SUSTAINED - Violation of Rule 18, "Engaging directly or indirectly in the operation of a taxicab, tavern, or retail liquor establishment," in that on 07 October 1995, at 0137 hours, Police Officer Rapunzel Williams, Star #17859, while off duty, performed duties regarding security at a liquor establishment, Fat Tuesday's, 435 E. Illinois, thereby failing to follow provisions of General Order 89-8, Part IV, Paragraph H, regarding secondary employment in an establishment where the primary business is the sale of intoxicating liquor.

Allegation #2            SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that on 07 October 1995, Officer Rapunzel Williams, Star #17859, was in possession of a weapon registered to another person while Officer Williams was at Area 3 Headquarters, thereby failing to follow provisions of General Order 92-3, Section III, Item D, by being in possession of a firearm registered to another person.

Accused:                Officer Davis

Allegation #1            SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that on 06 October 1995, at approximately 1830 hours, Officer Eric A. Davis, Star #17839, lent his gun to Officer Rapunzel Williams, Star #17859, thereby failing to follow provisions of General Order 92-3, Section III, Item D, by lending his firearm to another person.

DATE INITIATED:        16 October 1995  
DATE CLOSED:           26 January 1996  
ELAPSED TIME:          102 days

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 #103  
Investigator J. Lukas, Star #103

APPROVED:

  
O.P.S. Supervisor F. Smith, Star #29

/lt